

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently amended) A device for generating callused skin on a fingertip, said device comprising:
an exposed upper surface area having a raised ridge extending the length of said upper surface area, said ridge further comprising a groove transecting said ridge and forming ~~[[a]]~~ an elevated crest extending perpendicular to the length of said ridge and dimensioned to ~~simulating~~ simulate a string of a stringed instrument.
2. (Original) The device of claim 1, and further comprising opposing sides extending downwardly from said upper surface area, said opposing sides culminating in a lip, said upper surface area, opposing sides and lip forming a removable cap for releasably attaching said device to a finger exerciser, said cap forming the contact area for a fingertip.
3. (Currently amended) The device of claim 1, and further comprising opposing sides extending downwardly from said upper surface area forming a cap, said cap ~~[[is]]~~ forming the contact area for a fingertip of said device.
4. (Original) The device of claim 3, wherein said device is a combination individual finger and hand exerciser.

5. (Currently amended) A device for generating callused skin on a fingertip for use in conjunction with a combination individual finger and hand exerciser having individually independent finger grips, said device comprising:

an exposed upper surface area having at least one raised ridge extending the length of said upper surface area, said ridge further comprising a groove transecting the width of said ridge and forming ~~[[a]]~~ an elevated crest extending perpendicular to the length of said ridge and dimensioned to ~~simulating~~ simulate a string of a stringed instrument~~[[.]]~~;

wherein said crest extends above said upper surface area sufficiently to engage a portion of said fingertip.
6. (Original) The device of claim 5, and further comprising opposing sides extending downwardly from said upper surface area, said opposing sides culminating in a lip, said upper surface area, opposing sides and lip forming a removable cap for releasably attaching said device to said exerciser, said cap forming the contact area for a fingertip.
7. (Original) The device of claim 5, and further comprising opposing sides extending downwardly from said upper surface area forming a cap, said cap forming the contact area for a fingertip of said combination individual finger and hand exerciser.
8. (Provisionally withdrawn)

9. (Provisionally withdrawn)
10. (Provisionally withdrawn)
11. (Provisionally withdrawn)
12. (Currently amended) A device for generating callused skin on the fingertip for use in conjunction with a combination individual finger and entire hand exerciser, the device comprising:

a removable cap having an exposed upper surface area;
opposing sides extending downwardly from said upper surface area; and
a lip extending inwardly from one edge of said opposing sides;

said upper surface area comprising at least one raised ridge extending the length of said upper surface area, said ridge further comprising a groove transecting the width of said ridge and forming ~~[[a]]~~ an elevated crest extending the length of said ridge and ~~simulating a string of a stringed instrument and dimensioned to simulate a string of a~~ stringed instrument;

said upper surface area of said cap further comprising opposing sides extending downwardly from said upper surface area, said cap forming the contact area for a fingertip of said combination individual finger and hand exerciser.

13. (Provisionally withdrawn)
14. (Provisionally withdrawn)
15. (Provisionally withdrawn)
16. (Provisionally withdrawn)
17. (Provisionally withdrawn)
18. (Provisionally withdrawn)
19. (Provisionally withdrawn)
20. (Provisionally withdrawn)
21. (Provisionally withdrawn)

ARGUMENTS

Claims 1 – 7 and 12 rejected under 35 U.S.C. 102(b) as being anticipated by Silagy (U.S. 5,147,256). Silagy discloses an upper surface area having a raised edge extending the length of the upper surface area further comprising a groove thus forming a crest. (Silagy teaches upper surface having a knurled surface, a knurled surface meeting the requirements of having a raised edge).

As a general argument common to Claims 1 – 7 and 12, note that all of the cited references other than that of US 1,790,267 to Gordon, teach keys having a generally concave contact surface rather than an elevated contact surface formed by a ridge or crest which provides a major point of contact with a smaller surface area of a fingertip. The smaller surface area is intended to induce callus formation on a part of the fingertip used in playing stringed musical instruments such as a guitar. The concave key surfaces actually teach away from applicant's claimed invention in that a concave surface provides greater surface area for contact with a fingertip and in locations on the fingertip not generally suitable for playing stringed musical instruments. (Gordon teaches a hand grip exercise device which is not specifically applicable to the claimed invention as it does not have keys at all.)

In regards to independent claim 1, applicant has amended claim 1 to further distinguish from the cited references by including the limitations of an elevated crest dimensioned to simulate a string of a stringed instrument. Claim 1 is directed toward a hand exercising device with individual keys which has been modified to generate callused skin on the fingertips of a person intending to play a stringed musical instrument such as a guitar. The cited reference to Silagy does not disclose or otherwise suggest either singularly or in combination with any of the cited references the device of claim 1. As such, claim 1 is made novel and non-obvious by this limitation and is therefore believed allowable.

In regards to dependent claims 2 – 4, applicant believes independent claim 1 is now in an allowable form therefore dependent claims 2 – 4 are also believed allowable.

Claim 3 has been amended to correct a grammatical error only.

In regards to independent claim 5, applicant has amended claim 5 to further distinguish from the cited references by including the limitations of an elevated crest dimensioned to simulate a string of a stringed instrument in which the crest extends above the upper surface area sufficiently to engage a portion of said fingertip.

The cited reference to Silagy does not disclose or otherwise suggest either singularly or in combination with any of the cited references the device of claim 5 having a crest dimensioned to simulate a string of stringed instrument where the crest extends above the upper surface of a key sufficiently to engage a portion of a fingertip. As such, claim 5 is made novel and non-obvious by these limitations and is therefore believed allowable.

In regards to dependent claims 6 and 7, applicant believes independent claim 5 is now in an allowable form therefore dependent claims 6 and 7 are also believed allowable.

In regards to independent claim 12, applicant has amended claim 12 to further distinguish from the cited references by including the limitations of a removable cap and an elevated crest dimensioned to simulate a string of a stringed instrument. The cited reference to Silagy does not disclose or otherwise suggest either singularly or in combination with any of the cited references the device of claim 12 having a removable cap and an elevate crest dimensioned to simulate a string of a stringed instrument. As such, claim 12 is made novel and non-obvious by these limitations and is therefore believed allowable.